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Interim Co-Lead Counsel for Plaintiffs

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

In re loanDepot Data Breach Litigation

This Document Relates to: All Cases

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Case No.: 8:24-cv-00136-DOC-JDEx

Assigned for All Purposes to:
Courtroom 10A; Hon. David O. Carter

**DECLARATION OF JAY GANDHI
IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT AND DIRECTION
OF NOTICE UNDER RULE 23C**

**[Filed Concurrently with Motion,
Declarations and [Proposed] Order]**

Date: January 13, 2025
Time: 8:30 a.m.
Courtroom: 10A

1 I, JAY C. GANDHI, declare:

2 1. I submit this Declaration in my capacity as a mediator in the above
3 captioned action.

4 2. The parties' mediation was conducted in confidence and under my
5 supervision. By making this declaration, neither I nor the parties waive, among other
6 things, the protections of Rule 408. While I cannot disclose the contents of the
7 mediation negotiations, the parties have authorized me to inform the Court of certain
8 procedural and substantive matters. I make this declaration based on personal
9 knowledge.

10 3. I am a former United States Magistrate Judge for the Central District of
11 California and a former litigation partner with the firm of Paul Hastings LLP. I
12 currently serve as a mediator and arbitrator with JAMS.

13 4. On June 6, 2024, Interim Co-Lead Counsel and Defendant participated
14 in a full-day mediation session before me. The participants included (i) Interim Co-
15 Lead Counsel Daniel Robinson of Robinson Calcagnie; Abbas Kazerounian of
16 Kazerouni Law Group; Gary Klinger of Milberg Coleman Bryson Phillips
17 Grossman, PLLC; Tina Wolfson of Ahdoot & Wolfson, PC; Stephen Larson of
18 Larson LLP; and (ii) Defendant's counsel at Cooley LLP.

19 5. In advance of the mediation session, the parties exchanged and
20 submitted detailed mediation statements addressing liability and damages. During
21 the mediation, counsel for each side presented arguments regarding their clients'
22 positions.

23 6. During the mediation session, I engaged in extensive discussions with
24 counsel in an effort to find common ground between the parties' competing
25 viewpoints. I challenged each side separately to address the weaknesses in each of
26 their positions and arguments. In addition to zealously advancing their respective
27 positions, the parties exchanged settlement demands and offers with an eye towards
28 reasonable compromise. This was a challenging negotiation, however.

7. Ultimately, the mediation reached an impasse in direct negotiations. To broker a resolution, I made a mediator's proposal. Both parties accepted days later.

8. Although I cannot disclose specifics regarding the participants' positions, the Settlement was the product of forceful, oppositional advocacy.


9. Throughout the mediation process, the negotiations between the parties were hard fought and highly contested, but professional, and conducted at arm's-length and in good faith.

10. Based on my experience as a litigator, a former U.S. Magistrate Judge, and a mediator, I believe the Settlement represents a reasoned and sound resolution of this uncertain litigation.

11. I also believe this Settlement is the result of all counsel's expertise and experience in complex class actions and the fierce advocacy and exemplary representation counsel exercised on behalf of their clients.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 22 day of October, 2024, at Los Angeles, California.


Hon. Jay C. Gandhi (Ret.)